

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

)	CRIMINAL NO. 03 CR 10368 RCL
)	
UNITED STATES OF AMERICA)	VIOLATIONS:
)	18 U.S.C. §922(g)(1)
)	Previously Convicted Felon in
V.)	Possession of Firearm and
)	Ammunition
)	
DEREK FRAZIER)	18 U.S.C. §922(g)(9)
)	Domestic Violence Misdemeanant in
)	Possession of Firearm and Ammunition

SUPERCEDING INDICTMENT

COUNT ONE: (18 U.S.C. §922(g)(1) – Previously Convicted Felon in Possession of Firearm and Ammunition)

The Grand Jury charges that:

On or about October 3, 2003, at Randolph, in the District of Massachusetts,

DEREK FRAZIER,

defendant herein, did, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting commerce a firearm, to wit: a .40 caliber Glock semi-automatic pistol with an obliterated serial number, and 5 rounds of .40 caliber ammunition.

All in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO: (18 U.S.C. §922(g)(9) Domestic Violence Misdemeanant in Possession of Firearm and Ammunition)

The Grand Jury further charges that:

On or about October 3, 2003, at Randolph, in the District of Massachusetts,

DEREK FRAZIER,

defendant herein, did, having been convicted in a court of a misdemeanor crime of domestic violence, knowingly possessed in and affecting commerce a firearm, to wit: a .40 caliber Glock semi-automatic pistol with an obliterated serial number, and 5 rounds of .40 caliber ammunition.

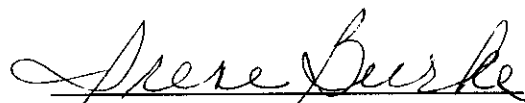
All in violation of Title 18, United States Code, Section 922(g)(1).


NOTICE OF ADDITIONAL FACTORS

The Grand Jury further finds that:

1. The defendant used and possessed the firearm and ammunition charged in Counts One and Two of this Indictment in connection with another felony offense, to wit, Assault with a Dangerous Weapon in violation of M.G.L. Chapter 265 § 15B(b). Accordingly, U.S.S.G. § 2K2.1(g) applies to this case.

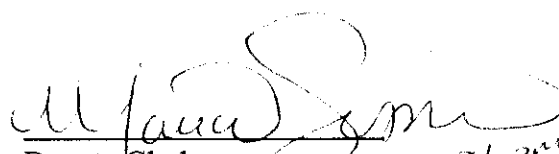
A TRUE BILL


FOREPERSON OF GRAND JURY


Seth P. Berman
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS, Boston, August 4 2004.

Returned into the District Court by the Grand Jurors and filed.


Deputy Clerk
8/4 12:21 pm
(WIS)